

Court No. - 43

Case :- CRIMINAL MISC. WRIT PETITION No. - 12243 of 2022

Petitioner :- Momin And 8 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Shams Uz Zaman, Avadh Pratap Singh Shishodia

Counsel for Respondent :- G.A., Sudhir Kumar

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard learned counsel for the petitioners, learned counsel for the first informant and learned A.G.A. for the State.
2. The instant writ petition seeks quashing of the FIR dated 26.06.2022 giving rise to Case Crime No.212 of 2022, under Sections 498-A, 323, 504, 506, 376, 313 I.P.C. & 3/4 Muslim women (Protection of rights on marriage act, 2019), Police Station- Bhawanpur, District- Meerut.
3. The report of the mediation proceedings has been placed before us. The Mediation Centre has reported that despite five mediation sessions having been gone through, no agreement was reached between the parties and the mediation proceedings consequently failed.
4. Since the mediation proceedings has failed and the allegations made in the First Information Report contains the ingredients of cognizable offence, the First Information Report cannot be quashed.
5. The writ petition is consequently ***dismissed***, without prejudice to the right of the petitioners to apply for bail/anticipatory bail.

Order Date :- 29.11.2023

Anjali